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ABSTRACT

The document presents two articles and six essays related to the use of film in history instruction on the college level. The first article reviews and evaluates a film survey course on Latin America which was offered at the University of California during the 1974-75 academic year. Evaluation of the course indicated that students did learn about certain features of Latin America in a vivid and dramatic fashion, in spite of numerous problems. These problems include an absence of analytical sophistication in evaluating media and a tendency among students to view course films in a passive manner. The second article briefly discusses teaching a course which requires the students to analyze films in terms of artistic techniques and devices peculiar to film. The essays were written by six students who participated in film and history courses on economic dislocation and migration and the conflict between law and justice. In these essays, students identified and discussed themes common to the films offered during each course and examined the use of film in history courses. The student essays express generally favorable attitudes toward using film in history courses, increased understanding of concepts dealt with by the filmmakers, and increased sophistication of film analysis techniques as a result of participating in a film and history course. (Author/DB)

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A FILMIC APPROACH TO THE STUDY OF HISTORICAL DILEMMAS

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By
Carlos E. Cortés
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This publication is a result of the course, "The Feature Film as Historical Source: A Study of Human Dilemmas," which was given during the Spring quarter, 1976, by Professors Carlos E. Cortés and Leon G. Campbell of the Department of History, University of California, Riverside, with the assistance of Alan Curl, student at UCR, and Constance Young, History Department secretary. We wish to offer our special thanks to the following UCR professors who served as discussants for various films in the course–Suresht Bald, Kenneth Barkin, Anthony DeLuca, Ralph Hanna, Victor Lippit, William Megenney, Howard Sherman, Stanley Stewart, Marshall Van Deusen, and Irwin Wall. The course was supported by a University of California Innovative Projects in University Instruction Grant for 1975-1976. This booklet contains an introductory essay on the use of feature films as historical documents and the organization of this film course, a brief discussion of the strengths and weaknesses of student film analyses, and six selected student essays which were written during the course. Hopefully this publication will prove useful for teachers who present courses on film and history and for those who use films in their general history courses.

TABLE OF CONTENTS

A Filmic Approach to the Study of Human Dilemmas 5
Carlos E. Cortés and Leon G. Campbell

Reactions to Film as Historical Document 17
Alan Curl

Selected Student Essays
Economic Dislocation and Migration
Robert Allen 19
Carol Elsensohn.....25
Lowanna Maxwell.....30
Conflict Between Law and Justice
Bruce P. Bigelow.....35
David Keller 39
David Wallace 43

A FILMIC APPROACH TO THE STUDY OF HISTORICAL DILEMMAS

by

Carlos E. Cortés
Leon G. Campbell

In recent years, historians have developed myriad innovations in scholarship and pedagogy. As alternatives to the traditional course format of lectures, readings, and class discussions, they have introduced a number of new approaches to the teaching of history. One of these innovations has been the development of film-and-history courses.[1] The use of film in the teaching of history is in itself not a new phenomenon, as historians have used films for decades to supplement or enrich the traditional course structure. However, film-and-history courses differ in that they utilize films as the principal documents for student analysis.[2]

During the 1974-1975 academic year, we offered our first film-and-history course—"Latin America: A Film Survey." In this course we presented and analyzed a series of feature and documentary films dealing with the Latin American experience, in order to teach students about certain problems and features of Latin America in a more vivid and dramatic fashion than is normally possible through reading alone. We were greatly encouraged by the course, which brought Latin America alive to the students. However, in preparing for and conducting that course, we noticed several potential problems concerning students involved in film-and-history courses.

First, today's students are sometimes referred to as the "media generation." Their exposure to the television set may far exceed their reading of educational materials. Yet exposure alone does not necessarily provide analytical sophistication in evaluating media. Hours before the television set or a movie screen do not automatically produce "media literacy," as this viewing is usually a passive, absorbent, non-analytical experience.

Second, we became aware that this absence of "media literacy" caused problems for students in analyzing films as historical documents. Although students engaged vigorously in class discussions concerning the films, their weekly film critiques tended to reflect certain analytical weaknesses. The three major categories of weaknesses were: (1) the "synopsis syndrome"—the tendency to summarize the

1. According to one recent survey, over 300 film-and-history courses are being offered in more than fifty colleges and universities. See Paul J. Vanderwood, "Hollywood and History: Does Film Make the Connection?," *Proceedings of the Pacific Coast Council on Latin American Studies*, 2 (1973), 53-60.

2. For a good introductory bibliography on the use of film in teaching, see Paul Smith (ed.), *The Historian and Film* (London: Cambridge University Press, 1976), pp. 194-197. For a recent look at selected history courses utilizing varieties of media, see "Report on Teaching History," *Change*, 2:8 (March, 1976), 24-43.

plot rather than analyze the film; (2) the "advocate approach"—the tendency to praise a film uncritically simply because it was ideologically in tune with the student's own viewpoints; and (3) the "nihilistic analysis"—the tendency to reject a film simply because it was ideologically out of tune with the student's opinions.[3]

Third, this very absence of "media literacy" is of growing importance in our increasingly visual age. People derive more and more of what they "know" from television, from movies, from visual advertising, and from other such sources. One recent survey indicated that sixty-five per cent of college graduates consider television, not newspapers or magazines, as their major source of news. We became more firmly convinced that educators must help prepare students for a life in which they will have the capacity to use the messages that flow from the media rather than be used and manipulated by these messages and those who create them. Yet such training is not a regular part of the school curriculum.

In the book, *Teaching History with Film*, John E. O'Connor and Martin A. Jackson make the following two observations:

> One cannot intelligently comprehend the written word unless he understands the basic grammar and idiom of the language; the same is true for the cinematic form. We live in a world where more and more everyday information is drawn from the visual media; the tremendous impact of television on our society hardly needs reemphasizing. But most students and many teachers lack the rudimentary skills needed to evaluate the visual message intelligently.
>
> Students must learn to apply these same kinds of critical skills to the messages they receive through film and the electronic media; they must not restrict such evaluation to the written word alone. The need for critical evaluation of visual material is even more important as "the news" on television replaces the morning paper as the public's basic source of information on current events.[4]

Finally, we discovered that while the literature on film-and-history is growing, there is relatively little written on the theoretical and conceptual questions of

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3. Robert Pinger, "Student Film Analyses," in Leon G. Campbell, Carlos E. Cortés, and Robert Pinger, *Latin America: A Filmic Approach* (Riverside: Latin American Studies Program, University of California, 1975), p. 12.

4. John E. O'Connor and Martin A. Jackson, *Teaching History with Film* (Washington, D.C.: American Historical Association, 1974), pp. 12-13, 15. According to one author, the average student has watched 15,000 hours of television by the time of graduation from high school. Eugene M. McCreary, "Film and History: Some Thoughts on Their Interrelationship," in E. Bradford Burns (ed.), *Latin American Cinema: Film and History* (Los Angeles: Latin American Center, University of California, 1975), p. 48, n.1.

analyzing films as historical evidence or the methodological questions of how to teach students to evaluate and utilize this evidence.[5] As William Hughes notes:

> To date we have few theoretical analyses or practical examples to guide us in using film as evidence. The standard handbooks and research guides offer little or no help, so the isolated historian who would venture to use motion picture sources is faced with the problem of validating a distinctive methodology. Understandably, few historians have shown a willingness to understand such a methodology.[6]

In order to help provide some solutions to these problems, we published a short monograph describing our approach to Latin American history through film. Entitled *Latin America: A Filmic Approach*, the book included both a discussion of film-and-history pedagogy and a series of exemplary student analyses of Latin American films shown in the course.[7] In the introduction to the monograph, we posited three basic realities which we believe students and teachers need to grasp in order to effectively analyze and evaluate films as historical evidence. These three realities are:

> *Reality Number One*—a film does not tell us or give us information about a society; it merely tells us what the filmmaker wants us to believe about that society or provides us perspectives that the filmmaker wants us to receive. By juxtaposition of words, music, and images, filmmakers hope to convince us that their interpretations of a society or of historical phenomena are the correct ones. To be properly analytical, viewers must approach films with the same awareness which they would use in approaching any written source which purports to "tell about" a society. All sources—whether written or visual—reflect the creator (author or filmmaker) as well as the subject matter upon which the creator is working.
>
> *Reality Number Two*—a written document is static and one-dimensional (visual); a film is dynamic and influences the viewer on two levels (visual and aural—a constantly moving combination of sight and sound). Students

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5. Paul J. Vanderwood indicates four ways in which historians can use films in teaching history. See Vanderwood, "Hollywood and History," p. 55. Christopher Roads notes at least seven ways in which film can be used as historical evidence. See Christopher Roads, "Films as Historical Evidence," *Society of Archivists Journal*, 3 (October, 1966), 187. A good collection of discussions of the practical problems and possibilities in using film in the classroom is Anthony Schillaci and John M. Culkin (eds.), *Films Deliver. Teaching Creatively with Film* (New York: Citation Press, 1970).

6. William Hughes, "Proposal for a Course on Films and History," *University Vision*, 8 (January, 1972), 11. Hughes himself has done much to develop methodologies involving the use of film in history courses. See William Hughes, "The Evaluation of Film as Evidence," in Smith, *The Historian and Film*, pp. 49-79, especially pp. 65-73.

7. Campbell, Cortés, and Pinger, *Latin America*.

trained in the analysis of written communications are not automatically prepared to deal analytically with film, where the flows of words, sounds, and images are carefully juxtaposed by the filmmaker in an attempt to achieve a preconceived impact. Documentary films provide particular problems in that images and sound track are independent, though coordinated, entities. In contrast to a film in which the viewer can see the person on the screen talk (of course, the voice may be dubbed), the documentary usually contains large passages (sometimes the entire film) in which a stream of images is coordinated with narrative and music—and it is this combination which drives home the message. The same images with a variety of narratives would result in drastically different films; the same narrative coordinated with different streams of images also would produce different effects. Yet it is difficult for the "filmic illiterate" to understand this process and the filmmaker's use of these techniques in manipulating the viewer, unless the viewer has learned how to understand and analyze this specialized language of communication—including its potential for influencing and manipulating an audience.

Reality Number Three—the film itself is only part of the film experience; the viewer is another critical aspect of this complex process. The filmmaker *says* (or tries to say) one thing; what enters into each viewer's mind will vary with the individual, depending on the individual's experience, beliefs, and capacity to "understand" and analyze the film. The same film may have widely varying effects on members of an audience. The variable is not the film; it is the audience. Students must become aware how they bring their pasts to the viewing experience, leaving themselves more susceptible to the messages and influences of some films than to others. Without this self-awareness, film viewing is simply an exercise in saying "right on" to films which coincide with the individual viewer's beliefs or values and rejecting those films which conflict with one's opinions or predispositions. In this way films become less sources of evidence than manipulators, reinforcements, or challenges to beliefs and prejudices—which they are now for most viewers. One goal of our course was to help increase the students' capacity to identify a filmmaker's position and to analyze a film's techniques for stating that position—no matter whether or not the students agreed with the film's message or point of view.[8]

We believe that these three realities provide a conceptual basis for the analytical viewing and evaluation of films as historical evidence. However, we are also aware that filmic evidence must be considered in concert with other sources, particularly written evidence, in order to be able to reach valid conclusions about critical historical questions. This awareness and our commitment to developing a process for blending film and written sources for greater pedagogical effectiveness provided the impetus for our second film course which is described below.

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8. *Ibid.*, pp. 7-8.

Course Organization

Based on our experience with the Latin American film-and-history course, we decided to offer a second course entitled "The Feature Film as Historical Source: A Study of Human Dilemmas" in Spring, 1976. We maintained two goals of our previous course, namely (1) to introduce students to techniques for the analysis of films as socio-historical documents, and (2) to provide students with practical written exercises in the interpretation of these documents. However, in the second course we placed a greater emphasis on helping students learn to integrate numerous films and published sources through the writing of longer interpretive papers on universal themes.

The second course varied from the earlier one in several ways. First, our Latin American course focused on a single geographical region, whereas the second offering treated themes that transcended national and geographical boundaries, as developed in a variety of feature films. Second, we decided to focus on two significant historical dilemmas—economic dislocation and migration, and the conflict between law and justice—which we felt were particularly stimulating and challenging. Third, we sought to develop students' abilities to use a series of films to analyze a single theme rather than have them simply analyze individual films through short critiques as in our previous course. We also required students to integrate both films and written sources into two major critical papers corresponding to the two themes of the course.

The changes in the course format constituted a logical continuation and expansion of the concepts and methods developed in the first offering. Use of feature films as the primary source materials for the study of universal dilemmas has never been attempted in a history course to our knowledge, although feature films have been used in other ways to teach history. As the most "social" product of the film industry, they provide unique insight into the societies in which they are made and exhibited. This cross-cultural perspective, we felt, was very important to the study of these universal dilemmas. We drew upon world-wide subject matter and filmmakers as a means of providing students with a broader comparative treatment of themes that we considered crucial to historical understanding. For example, the theme of poverty, which was developed filmically for Latin America in our first course, varied in other geographic areas where conditions differed substantially, although it might be argued that many Third World countries share similar conditions and experiences of poverty. It seemed empirically sounder to treat themes dealing with general problems from a variety of cultural perspectives so students could grasp the universality of these dilemmas. Finally, we decided that it made greater pedagogical sense to require students to write two major critical studies of the selected themes rather than asking them to complete weekly critical reviews as before. This allowed for a more complete integration of the films and the required readings dealing with a particular theme, thereby combining the more traditional with the innovative—the more conventional document with the newer, interpretive rendition—and setting the film within the broader context of historical inquiry.[9]

9. Our methodology is closer to the second of five ways in which film-and-history courses are conducted in Great Britain, according to the schemes discussed by Arthur Marwick in his essay, "Film in University Teaching," in Smith, *The Historian and Film*, pp. 142-155.

Our experience with the Latin American film-and-history course underscored the need to develop the students' critical facility necessary to evaluate films as socio-historical documents. For this reason, the first two weeks of the ten-week course were devoted to the development of student "filmic literacy."[10] We first explained our belief that films had an unsurpassed capacity to present insights into areas, periods, personalities, and ideas, particularly for certain themes or subjects. At the same time, we indicated that films produced in a variety of cultural areas in the same general time period and dealing with a common dilemma provided cultural perspectives on the problem by reflecting social mores, attitudes, and values of these areas. We explained some of the problems attendant to the use of films—primarily that they are imaginative reconstructions of events or fictional depictions which represent a particular filmmaker's viewpoint. However, we argued that students could transform this "problem" into a "source" by considering the nation and era from which the film emerged, the perspective and intent of the filmmaker, and the cinematic techniques by which the filmmaker attempted to "sell" a perspective or effectively drive home a message. While not all historians accept films as proper for the study or teaching of history, many filmmakers and historians share the view that films have a value along with other sources for teaching and research.

As a means of demonstrating how film can illustrate the nature of "truth," perspective, and subjective reality, we screened the Japanese film, "Rashomon" (1950), which tells from multiple perspectives the same story—namely a bandit's alleged attack on a woman in a forest and killing of her husband. Because the film questions the nature of reality by presenting the viewer with various interpretations of an act, it raises the issue that people perceive the past in a largely interpretive manner, often reflecting particularistic viewpoints. Film scholar and critic Richard Thompson discussed this point at greater length when he spoke to the class on the nature of films as socio-historical documents.

During the third through sixth weeks of the quarter, four films dealing with the historical dilemma of economic dislocation and migration were screened on Tuesday afternoons. Each Thursday afternoon a symposium was held in which, along with a guest discussant, we discussed the theme or dilemma presented in the film and the outside readings, evaluated the film as a source for the study of that dilemma, and analyzed the filmmaker's message and cinematic techniques used to "sell" the message.

For the theme of economic dislocation and migration, we considered such films as "The Promised Land" (Chile), "The Path of Hope" (Italy), "Rocco and His Brothers" (Italy), "Flames on the Volga" (USSR), "The Big Cat" (USA), and "Alice Doesn't Live Here Anymore" (USA), before selecting "The Grapes of Wrath" (USA), "Vidas Secas" (Barren Lives) (Brazil), "Kuhle Wampe" (Whither

10. While we use the term, "filmic literacy," others have adopted different terminology. For example, Thorold Dickenson refers to this concept as "cinemacy" or the process of becoming "cinemate," as contrasted to "literate." See Thorold Dickenson, "Inside View: Film and the Historian," *Screen Digest* (September, 1973), pp. 135-137. Joan Rosengren Forsdale and Louis Forsdale use the term, "film literacy," in their article, "Film Literacy," *Teachers College Record*, 67:8 (May, 1966), 608-617.

Germany?) (Germany), and "The Passengers" (Algeria) to illustrate this general theme. These four films provided a variety of perspectives on a dilemma of universal application and importance, one to which many students had been introduced through other courses, general reading, or, in some cases, personal experience. Hence, it was a topic which could be grappled with immediately. As required reading, students read Oscar Handlin's study of European migration to the United States, *The Uprooted,* and John Steinbeck's classic novel, *The Grapes of Wrath.* We chose the latter so students could use it as a basis for examining the ways in which a filmmaker may reinterpret a novelist's work.[11] Discussants were drawn from the fields of history, economics, and literature to provide additional perspectives on the Great Depression and its effects on various societies.

The theme discussed during the final four weeks of the quarter was the conflict between law and justice. We felt that available films and readings lent themselves nicely to a consideration of this theme, which also had universal applicability and historical variation and touched nearly every individual personally. Among the films considered for screening were "A Touch of Evil" (USA), "A Covenant with Death" (USA), "Crime and Punishment" (France), "The Crime of Monsieur Lange" (France), "The Battle of Algiers" (Italy), "M" (Germany), "Les Miserables" (France-Italy), "Dirty Harry" (USA), and "The Birth of a Nation" (USA). We finally decided on "Billy Budd" (USA), "King and Country" (Great Britain), "At Five Past Five" (India), and "Walking Tall" (USA). These four films brought dramatic focus to and often divergent positions on the common theme of the conflict between law and justice. Similarly, a variety of books were considered before we chose Hugo Bedau's anthology, *Justice and Equality,* and Herman Melville's novel, *Billy Budd,* as core readings. Professors of philosophy, literature, and political science participated in the group discussions and helped provide legal, cultural, and philosophic perspectives on this universal dilemma.

Following the showing of the four films on each historical dilemma, students were required to write ten-page interpretive papers examining this historical problem and critically integrating the assigned readings and at least three of the films as sources. Papers were due by the Thursday of the week following the completion of the series of films on that topic. Each essay was worth fifty per cent of the course grade, although students had the *option* of writing up to a maximum of five *individual* film critiques *in addition to* their two major interpretive papers. Each critique, which was due before the symposium that followed the screening of the film, was worth ten per cent of the course grade, thus reducing by that amount the value of the two major interpretive papers, each of which became worth half of the remaining percentage. Hence, the submission of one additional critique worth ten per cent reduced the value of the two interpretive papers to forty-five per cent each; the

11. We recognize, of course, that the "truths" which feature films reveal about the past are the filmic equivalent of the novelist's "truths" more than those of the historian. William Hughes states that films such as "The Grapes of Wrath" stand in much the same relation to history as did the social novels of the nineteenth century. The point is that Steinbeck's *The Grapes of Wrath* and John Ford's film treatment provide us with important interpretations of the U.S. depression of the 1930's and the plight of migrant workers during this time–interpretations which can be evaluated in the context of other sources on this period.

submission of the maximum five additional critiques reduced the value of the interpretive papers to a total of fifty per cent of the final course grade. This allowed students flexibility in determining the emphasis to be placed on their written work. Active and constructive participation in class discussions could only improve the grade; lack of participation did not reduce it.

Class Discussions

As was to be expected, many students at first were somewhat reluctant to enter into class discussions, preferring to listen to the comments of the instructors, guest discussants, and other students. There are several possible explanations. This may have been due partially to a natural unwillingness to criticize or even discuss works of art which we had previously identified as classics. It might also have reflected a personal reticence in voicing opinions in front of the class, as some of the students who were quiet in class were quite outspoken and incisive in after-class personal discussions with us. Some of the students might still have been plagued by a tendency often instilled by their educational experience–to function passively in the classroom and receive knowledge from the professor. Finally, it may have reflected students' lack of confidence in their own "filmic literacy," a result of the lifetime habit of engaging in film viewing as a passive experience and not taking films seriously as social documents. As one student indicated in his final course evaluation form:

> Before this class I saw film as a means of just pure entertainment. If it were not light-hearted, I did not enjoy it. After this class, I now take a more conscientious view of all films as being serious.

Students generally dealt most successfully with "The Grapes of Wrath" above the other films. This may have been because it was the only U.S. film in this part of the course and was, therefore, culturally more comprehensible to students. Beyond this, however, we were struck by the fact that the reading of the novel on which the film was based tended to provide students with an additional perspective that was evident in both discussions and written work. Students seemed to grasp the film, "Whither Germany?," better than the Brazilian film, "Barren Lives." Possibly this was because the urban Western European cultural context was easier to understand for American students than was that of rural Brazil. Moveover, they seemed to respond better to the fast pace of "Whither Germany?," designed to depict the frantic life of the inflation-ridden Weimar Republic, while the slow, heavy, desperate life of the Brazilian backlands, graphically depicted by director Nelson Pereira dos Santos in "Barren Lives," made some students uncomfortable and depressed. Lack of familiarity with the situation of Algerian migrants in France and the difficulty of dealing with a different genre–the *cinema verité* film, "The Passengers," was the only documentary used in the course–helped produce the least successful class discussion. The latter film, in particular, dramatized the need for a more careful selection of reading material to help in film analysis.

The second half of the course offered a significant contrast to the first half. Students participated more actively in class discussions and exhibited a greater involvement in class proceedings. Part of the explanation may be that, as a result of the experience of the first six weeks and the writing of their first major essays, students felt more confident in their analytical abilities. More important, we feel, was the nature of the theme.

The conflict between law and justice seemed to have more immediacy for the students than had economic dislocation and migration. Students tended to view the first theme with intellectual detachment, possibly because few if any of them had ever experienced the kinds of massive societal economic dislocations dramatized in the first series of films. However, the issue of the conflict between law and justice is not only universal and continuous, but it also pervades the lives of all on a regular basis. Everyone has been involved with questions of law, rules, regulations, and formalized procedures. Everyone has been involved in situations in which we have experienced or have witnessed cases where we feel injustice has been done. Probably most, maybe all, of the students had personally experienced law and justice in conflict in their own lives. The comments of two students in their final course evaluations seem to reflect prevailing class opinion:

> The second theme, conflict between law and justice, was more meaningful to me because I have always been concerned with it and I think that the choice of films has brought out many of my questions on the matter and perhaps showed me that there is no answer.

> The first segment of the course was relatively easier to analyze as far as themes are concerned. The second segment provided a more complex theme and proved to be the more interesting of the two due to its complexity.

Disagreements surfaced constantly. In the two films dealing with the military–"Billy Budd" and "King and Country"–class sentiment seemed to lean toward the conclusion that the rigidity of military law and those who applied it had resulted in miscarriages of justice. In contrast, the class tended to lean to the position that Sheriff Buford Pusser in "Walking Tall" went too far beyond the limits of the law in his efforts to carry out his version of justice. In analyzing the Indian film, "At Five Past Five," students generally felt that neither law nor justice were served in the imaginary kangaroo court trial of Mahatma Gandhi and his subsequent assassination. Overall, justice seemed to hold a slight edge over law in the students' values hierarchy. Some students demonstrated more concern for either law or justice as preeminent over the other, but other students took a more relativistic, situational approach to their analysis.

We were particularly pleased with the improvement in class discussions throughout the course. By the end of the quarter, more students were participating in discussions. Most important, the class demonstrated an increasingly sophisticated capacity for detecting the filmmakers' points of view and the manner in which the filmmakers stacked the evidential base through script and cinematic techniques in presenting their positions on the dilemma. As one student indicated in his course evaluation questionnaire:

> This aspect of the course was the most important for my understanding. It is these discussions which afford an opportunity to really think and analyze each film. Without them I am sure the films would lie stagnant in my memory, and the insight I may have now about the themes would not have come.

The improvement in discussions carried over into the film analyses. We noticed a marked increase in conceptual sophistication in the final papers over those written at midterm. There was an initial tendency among students to provide a summary of the film plot or an esthetic evaluation of the film as art instead of an analysis of the usefulness of the film for a better understanding of the theme and as a socio-historical source.

As time progressed and students became more familiar with the methodology, they handled with greater facility the theses (messages) delivered in the films, the techniques used by the filmmakers in conveying and dramatizing these messages, and their goals in making the films. The better students made an excellent effort to relate the films to the written texts and oral discussions of the theme, producing analyses which drew upon these three sources—film, text, and discussion—in a creative manner. Six of these papers are included in this book as examples. Student enthusiasm, as much as anything, indicated that films provide a novel and challenging means of studying dilemmas that are among the basic aspects of our past.

Conclusion

It should be underscored that this course was funded for one year by the University of California Regents' Undergraduate Instructional Improvement Fund as an experimental pedagogical innovation. The expense of film rentals makes it unlikely that either this course or our earlier one, "Latin America: A Film Survey," will be repeated in this exact form. While we would like to see these courses offered regularly and similar ones developed, we are more concerned that educators begin, as we have tried to do here, to develop pedagogically sounder ways of using filmic materials in an academic, and particularly historical, setting. We have been primarily concerned with providing students with a conceptual framework for using film and history together and with methodological tools to allow their working with this unusual form of historical-social documentation.

With the publication of this second teaching guide, we wish to emphasize several points about film and history. First, it seems clear to us that films can properly serve as sources for historical analysis. All the historian's source materials are flawed to some degree, and films are inherently no weaker than written and printed sources. It then follows that historians and students can and should proceed with the task of preparing themselves to interpret and analyze these materials. Second, it is evident that historical training does not provide "filmic literacy" (or "cinemacy," as it is termed by Thorold Dickenson)[12] for professors any more than it does for students. Although the media are a staple of our daily life, we normally associate

12. See footnote 10.

them with entertainment rather than academics. The complexity of film and the difficulty of attaining "cinemacy" require historians to develop as rigorous an approach to analyzing this type of documentation as they have applied to traditional source materials. Third, we recognize the great value which films can have for the teaching of history if the above requirements are met. As historian Marc Ferro notes:

> Every film has a value as a document, whatever its apparent nature. This is true even if it has been made in the studio, even if it is neither narrative nor representational. Through the way in which it acts on the realm of the imagination, through its transposition of the imaginary, every film lays down the relationship which binds together its author, its matter and the spectator. Besides, the unspoken, the imaginary, are as much history as is History, but the cinema, especially the cinema of fiction, opens a royal road towards psycho-socio-historical regions never reached by the analysis of "documents."[13]

With the completion of "The Feature Film as Historical Source: A Study of Human Dilemmas," we feel that the concepts and methods developed in our Latin American film course have been extended and refined in several ways. First, by dealing with two important themes through films produced in a variety of areas, the universality of the two historical dilemmas was underscored. Film is a particularly potent means of molding opinion and spreading points of view, and students could see how these historical issues were dealt with in different countries. Second, students came to recognize the use of films in depicting these historical dilemmas and, at the same time, were made aware of the distortion and bias which invariably pervade historical evidence. By studying the evidence derived from the films and comparing it with evidence gained in the symposia and readings, students became alerted to the fact that every interpreter of the past–filmmaker and historian alike–shapes these events in a personal fashion. Third, students appreciated the ways in which film was able to transmit a "sense of the past"–providing perspectives on the environment, dress, language, attitudes, and lifestyles of a variety of epochs which rarely emerge from traditional sources. It is our opinion that students must develop an understanding of other people and other epochs in order to begin to appreciate that their problems and prospects are also our own. In both courses, films seems to have directly contributed to this understanding and appreciation, for which, as historians, we are grateful and encouraged.

Students became accustomed to viewing the films with an analytical seriousness not usually applied to the bulk of media presentations to which they are normally exposed. Their written work leads us to believe that they have been helped in developing a more critical facility for understanding and interpreting media, a skill which should benefit these students both in the classroom and in their private lives. In the words of one student in his final course evaluation:

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13. Marc Ferro, "The Fiction Film and Historical Analysis," in Smith, *The Historian and Film*, p. 81.

This was the first time that I had thought to view feature films in other than an entertainment light. Recently I went to see "All the President's Men" and found myself analyzing its value as an historical document, especially how it might be viewed thirty years from now. I suspect that such analysis could become habitual for *any* film I might see.

REACTIONS TO FILM AS HISTORICAL DOCUMENT

by

Alan Curl

One of the major stumbling blocks in teaching a course on Film as Historical Document was getting students to analyze films in terms of the language of film. Discussions and term papers sometimes revolved too heavily around plot-lines, with insufficient regard for the special devices by which film can define relationships, manipulate viewer response, or make a social comment.

As with dance, painting, sculpture, literature, or any of the other arts, truly understanding film demands a specialized knowledge of artistic techniques and devices. In their written evaluations of the class, some students indicated that the instructors might have incorporated more formalized lessons in film analysis into the course outline. Required reading from V. F. Perkins' *Film as Film* and Andrew Sarris' *The American Cinema: Directors and Directions 1929-1968,* in addition to selected critical analyses from film books and journals, would have helped provide the desired base knowledge of the language of film.

One of the ideas put forth in planning the course was to try to avoid burdening students with excessive reading demands. Perhaps because of the large number of non-History majors that the course attracted, however, student evaluations expressed a desire for more specific readings on the topics and time-periods examined in the films. Because reactions to the Handlin and Bedau books were mixed, it is difficult to gauge their overall usefulness to the students. Readings on more specialized topics might have encouraged a deeper consideration of themes and dilemmas presented in the films.

It took several weeks to convince some students of the value of taking notes during screenings. Passive viewing of the film by some students led to little more than often inaccurate recountings of plot-lines, rather than serious analyses of film as a social or historical document. There were also those students who tended to react to films as a Rorschach tests, appearing more willing to discuss personal reactions to the films rather than analyze how the films elicited these reactions.

Eventually, however, through formal class discussions, private talks, and suggested readings, students began to understand how personal and social statements can be expressed or enhanced through the selective placement of characters, long shots, close-ups, dissolves, montage, sound mixing, and general mise-en-scéne and iconography. They, therefore, became better equipped to handle a diversity of films. A class of this type can benefit from an early exposition of these film techniques.

Most students indicated that they found the first historical dilemma considered in the course, Economic Dislocation and Migration, an easier one to write about and discuss. Of the films of this period, three, "The Grapes of Wrath," "Vidas Secas," and "Kuhle Wampe," dealt with the 1930's; all of the films, including "The Passengers," dealt with real historical events; and the situations in all of the films often coincided chapter and verse with the generalizations presented in the required reading, Oscar Handlin's *The Uprooted.*

On the other hand, evaluation forms and personal conversations indicated that students enjoyed more the films under the topic of The Conflict Between Law and Justice, those being "Billy Budd," "King and Country," "At Five Past Five," and "Walking Tall." Class members found it more difficult, however, to deal with the philosophical abstract of "justice" and to correlate recurring themes, dilemmas, and symbols in films with such diverse plots, time-periods, and settings. These frustrations do not speak ill of the film list necessarily, but rather illustrate the difficulty of the topic.

An advantage of the diversity of the second group of films was that it helped convince students that not only should costume period pieces be regarded as historical documents, but that all films, though some more than others, carry some historical and social merit or comment. Although this was a difficult concept for some students to accept at first, as the quarter progressed students learned to make comparisons over a wide range of fictional feature films in assessing a film's value as an historical document.

Finally, once students became convinced that all films can have social and historical messages, they developed a capacity to actively reject or accept the statement of the film—especially in the case of "The Passengers" and "Walking Tall." Emphasis on individual contributions to class discussions helped to discourage passive acceptance of each film and encouraged students to defend their own viewpoints and to consider interpretations other than their own.

Judging from student evaluations, of twenty-three class members, only two seemed to have serious criticisms regarding the structure of the course. While reaction to individual films or readings was usually mixed, most students apparently enjoyed the course and said that they would like to take another similar one. Following are student suggestions for future themes for film courses:

The Myth of the American West
War Propaganda
National Movements of the Twentieth Century
Changing Attitudes toward Crime and Police Action
Prejudice and Racism
Politics and Starvation
Corruption in Government

ECONOMIC DISLOCATION AND MIGRATION

by

Robert Allen

The advent of the feature-length motion picture has afforded society a rich, viable means of communicating with mass audiences using a worthwhile, understandable media form. The entertainment potential of movies is without bounds. Not so obvious but just as important is the potential for movies to record historical facts, to comment on those facts and their effect on society, and to extract mass reactions to them. Hence films can, as with any other medium, function as historical documents and social statements. This potential is in fact present, implicitly or otherwise, in every movie produced, albeit to different degrees and for a myriad of reasons. It is interesting to examine several works concerning the same topic, in hopes of observing the extent to which this potential is realized and in what ways it is implemented.

One such historical fact is the mass migration of a people, resulting in and resultant from personal and social poverty. Such migrations were extremely prevalent during the late 1930's and early 1940's. The causes and effects, human dramas, and moral and social implications of this era have been the topic of many motion pictures. The filmmakers' blendings of cinematography, audio, pace, symbolism, and story line which make up these films speak strongly of their effectiveness in creating historical and social documents.

We have seen three such films, John Ford's classic production of Steinbeck's novel, *The Grapes of Wrath*, the Brazilian filmmaker Nelson Pereira dos Santos' re-creation of Graciliano Ramos' novel, *Vidas Secas* (Barren Lives), and the German Communist Party's 1932 production of "Whither Germany?." Let us examine these films to see first, to what extent they function as historical documents, how well they recreate history for future reference, and second, to see how they function as social statements, that is, what the filmmakers are saying to and about society, and how they deliver their messages through the medium of film.

But first, we must examine the event of migration and economic dislocation, especially as it applies to the great migrations of the post-depression era. In America, this era saw hundreds of thousands of midwestern farmers move to the West, becoming migrant farmworkers. At its height, the great unemployment of that time saw as many as one out of three of the American labor force out of work. The share-cropping system was not functioning in the true capitalist way; it was not showing a profit. The consolidation of small farms into large co-ops was initiated by the money-makers of the day. This necessitated the great migration, for the individual was faced with a crucial decision, migrate or face starvation. It was about this dilemma and its various social ramifications that Ford made "The Grapes of Wrath."

The situation on the Brazilian plain at that time was somewhat different. The transiency of the peasant class was an established fact of life. The poor resources of the area, which could not support efficient agriculture, necessitated the dilemma

about which dos Santos made his film in 1963, a dilemma which remains, for that area, timeless.

Germany was hardest hit of all world powers by the great depression. She had fought and lost in World War I and had been hit by incredible inflation and then by severe depression in the space of fifteen years. The unemployment figures for Germany during the era are astounding. The German Communist party produced "Whither Germany?" in hopes of directing its people's energies toward recovery from the national plight.

Probably the most esthetically pleasing of the films is "The Grapes of Wrath." Here, John Ford depicts the struggles of a Midwestern family in its transition from share-croppers in Oklahoma to migrant workers in California. The film is an accurate enactment of the era in its re-creation of living conditions, causes and effects of the great migration, and general "flavor" of the era, but more importantly, in re-creating the time, it serves as a social statement of the hardships and injustices endured by the migrant.

Ford has two objectives in his production. The first is to depict the class struggle between the establishment and the working class, and in so doing to comment on its effect on the family and the individual. His second purpose is to demonstrate his way of defeating the system (which he hated): organization of the working class.

We see many similarities between the initial family structure of Ford's film and the family depicted in Oscar Handlin's acclaimed *The Uprooted.*

> The family, being functional, varied somewhat to suit the order of local conditions. But always the unit revolved about the husband and wife. The man was head of the household . . . His wife was mother, her domain the house . . . The children each had their task, as befitted age and condition. Grandparents, aunts and uncles . . . found a place and a job.

This close-knit structure is depicted in the film and emphasized strongly in Steinbeck's novel. In working toward his first goal, Ford shows how the Joads' struggle to survive destroyed the family unit. Noah and Connie disappear, Tom is forced to flee, Grandpa dies, and as Tom says in the book, "He died when we took him off the farm." Ford does an excellent job of showing Tom Senior as he deteriorates from the strong head of the family to the smiling sort of fool who agrees with Ma as she tells him he "ain't the head no more." Conversely, the preacher who had lost his call finds new purpose in California, that of holding the workers together, while Ma becomes the backbone of the family, trying to hold it together. In these character developments Ford is commenting on the effects of poverty and dislocation, both on the family and on the individual, specifically, that poverty tends to degrade the individual and disorient him, while oppression tends to strengthen him.

Ford used numerous devices, some obvious and some subtle, in effecting his second goal. The most obvious is his change of story line from Steinbeck's novel. The action of the novel is essentially downhill, yet the action of the film shows the Joads' situation steadily improving, from their rootless arrival in California to the closing scene with Ma's joyous, hopeful statement that "We're the people, and the

people go on." Both this statement and its ascending context are meant to show hope for the future of WE the people.

In further advocating organization of the working class, Ford shows a nearly fanatic anti-establishmentism. He portrays a mindless machine which attempts to destroy the people, throwing them off their land without mercy and without appeal. The scene where the tractor mows down Muley Graves' home as he and his family stand in its shadow, and Muley's classic question, "Well, who do I shoot?," depict this sort of "machine." That Ford finds such great fault with the machine, the establishment, is implied in a rather subtle way. In the novel, Steinbeck makes a great deal of the dust and the dust storms, symbolizing the uselessness of the land, the breakdown of the share-cropping system. Hence, regardless of the machine, the land is barren; the people cannot survive in the old ways any more. Yet Ford does not discuss this in his film; he finds fault only with the machine. This serves both his goals, in depicting the struggle and in making the soution clearer.

Concurrently, we see all through the film Ford's statement of the need to organize. Tom's "I'll be there" speech as he leaves Ma, the preacher's involvement in the organizational movement, and Ma's "We're the people" statement all instill in the viewer this feeling of unity as the way to overcome the cruel system. This is Ford's message, delivered through the medium of film.

Conversely, "Barren Lives" is perforce more historically oriented than "The Grapes of Wrath." Dos Santos can, like Ford, depict the situation, but because his film is twenty years after the fact ("Barren Lives" was made in 1963 about an event of the early 40's), and because the problem is in fact timeless, without a solution, dos Santos cannot offer a solution in the way Ford does. The best he can do is to depict the situation and comment on the fact that there is no hope for improvement. Dos Santos does digress a bit, in that he makes some social comments on the way in which those who are forced to live in the situation try to cope.

Dos Santos is very effective in creating the hopelessness of Fabiano's situation. The incredibly slow pace of the film, the numerous shots of the buzzards, the bleak surroundings, the high, screeching sound of the wagon wheel, the absence of a musical score – all serve to emphasize the austere conditions from which Fabiano and his family cannot escape. That they cannot escape is shown by dos Santos in several ways. In the final scene, Vitória speaks of their new life in the city, where all will be well. Yet dos Santos has carefully cultivated her character to be that of an unfulfilled dreamer. She is constantly thwarted in her efforts to obtain a leather bed, to live like Senhor Tomás. By her very act of speaking of a good life in the city, we know they will never escape the plains. Further, Fabiano is offered escape from his situation through the position in the mercenary army, yet he declines. He is offered a chance to strike back at the system when he corners the policeman in the woods, yet he does not kill him. "The Law is the Law." My position is my position, I cannot change what is.

Dos Santos also spends some time exploring the psychology of Fabiano's situation, in showing the ways in which Fabiano, his wife, and some of the local populace attempt to escape their tedious prison. Fabiano tries to lose himself in his work, as dos Santos shows him working with the cattle all day. Yet, when he returns home, he must face the stark reality of the situation – his lamenting wife, underfed

children, and broken-down house. He gambles, drinks away his money, and ends up in trouble with the law. Again and again we see him try to escape, but dos Santos shows that he cannot.

His wife, Vitória, uses daydreaming of a better future as her means of escape. Her desire for a leather bed, to live like Senhor Tomás, and her attendance at church exemplify this hope for the future. But alas, Fabiano gambles away the money for the bed, and her day at church turns into a bleak wait for Fabiano's release from jail. There is a tragic irony in the use of her name, for their is no victory for her.

The local policeman attempts to escape by asserting his authority, by building himself up in his own eyes. Yet here again we see the escape is ineffective at best. When cornered by Fabiano in the woods, he is exposed as the little man that he knows he is. His escape is no more effective than Fabiano's or Vitória's.

Thus does dos Santos, in his bleak, desolate film, re-create the bleak, desolate conditions to which the peasant cowhand is relegated. He can offer no alternative, because for Fabiano there is no alternative.

The German film, "Whither Germany?," was produced by the German Communist Party toward the end of the depression. It is essentially a propaganda film. Its producers meant to influence the German population in a specific way—to show them that they, the people, needed to band together in a spirit of strong nationalism in order to overcome the unemployment and inflation which were such overpowering problems in Germany at that time.

The film brought that message across in two significant ways. The first was to show that other means of coping with those problems were ineffective; the second was to show how successful unity of the population could be.

The "other means" depicted in "Whither Germany?" center on individual effort, apathy, government support, and dropping out of the system through suicide. The film makes its first point well, in that each of these is effectively portrayed as futile.

For instance, the frenetic pace which opens the film is esthetically displeasing. It serves historically to depict the magnitude of the problem and to show that the solution was not immediately forthcoming. But more importantly, its displeasing nature in accord with the scenes depicting failure of the individual bicycle riders to find work serve to build a strong negative association in the mind of the viewer. This in turn serves to downplay the ability of the individual, acting on his own, to significantly change the situation. The mother's line that "He who tries, succeeds," is not meant to encourage individual effort as much as to combat apathy of the husband with his spy novel.

That government support, social security, is not the answer is made clear in the scene where both the father and son are criticized for being "on the dole." It is a human feeling that a man who is not the breadwinner for his family is somehow wrong. In associating the father's being on the dole with his displacement as head of the family, the film shows that government support is not the answer.

The filmmakers poignantly show that the removal of oneself through suicide is futile with the line, "one less unemployed." This, in the face of 4½ million unemployed, is shown to be a wasteful, futile effort.

In answer to the futility of these means of coping, "Whither Germany?" offers a viable alternative – "our solidarity." The recreation camp, Kuhle Wampe, is effectively depicted as a healthy, wholesome place where, and this is the crucial point, something is accomplished. All of those there find a purpose and learn that in numbers there is strength. All of the sports are team sports. The producers repeat over and over that "We must learn to conquer" and "This is our city, our country." We can accomplish something in "our solidarity." Hence the filmmakers show that while the rest of the world degenerates in capitalist wastefulness, as shown in the subway scene concerning the destruction of all that coffee, the Motherland can overcome its problems through unity of the population.

These films were not meant primarily as a recording of history. The migration and poverty of the era are fact; hence there is little the filmmaker can do to influence its recording, save in treating that fact in ways which serve to emphasize their, the filmmakers', social statements. All of the films are historically accurate to the extent that they can, in one movie, depict an event of history which affected the entire world and which was so incredibly broad in its causes and effects. All recreate living conditions, social spirits, in short the "flavor" of the era very well. Certainly they have some bias in their strict treatment of history, but it is this bias which shows them to be primarily social documents, as opposed to strictly historical films such as "Waterloo" and "Tora! Tora! Tora!." These inherent biases are, in fact, part of each film's social statement. Therefore, we have not delved deeply into their impacts as historical documents. Rather we have taken their history in its context to see more clearly what the social impetus of each film was.

We can find similarities between the social impetus of these films and between other media forms concerning the same topic (such as the aforementioned epic, *The Uprooted*). For instance both "The Grapes of Wrath" and "Whither Germany?" attempted to unify the victims of the era. This theme is also found in *The Uprooted*, as for instance, in chapter seven:

> In their loneliness and helplessness, the immigrants reached for some arm to lean on . . . At many steps in his life's journey he could not go on alone . . . Then it was well if help could come from others like him.

This theme is a strong point in all three works. (Fabiano was perforce exempt from this. There was no one for him to band with. This is "Barren Lives'" concurrent theme.)

All of these works serve to depict the oppression of the working class. The burning out of the Hoovervilles, the jailing of Fabiano, the eviction of the German family from its home, and from chapter three of *The Uprooted:*

> . . . the people who were to live the rest of their days amidst a world of steel and stone and brick were peasants. If they failed to reach the soil which had once been so much a part of their being, it was only because the . . . (system) . . . had trapped them.

Many other parallels, too numerous to detail here, exist within these works.

We have looked, then, at efforts of the human mind to chronicle an historical reality in a meaningful, entertaining manner. The producers of these films have made their points well, in employing techniques which manage to convey those

points, often symbolically, to widespread audiences, in hopes of educating those audiences to the toil and turmoil of an historical era. Yet in many ways the messages of the films are timeless, as are techniques of conveying them. The social statements conveyed in these films serve also to show future filmmakers the potential of the film medium in broadening the scope of understanding of man.

ECONOMIC DISLOCATION AND MIGRATION

by

Carol Elsensohn

The films and literature which we studied in the category of Economic Dislocation and Migration brought out many aspects of life characteristic of the transient through history, and centered on various important themes underlying the particular life style of those forced to move from their homes because of economic factors. "The Grapes of Wrath," "Vidas Secas," and "Kuhle Wampe" all touched upon such varying subthemes as the role of organization in effecting change, helplessness of the ordinary man in the face of bureaucratic obstacles, the breakup of the family and the changing of roles, hopelessness of the transient, the ever-present knowledge that the traditional forces of law do not operate in favor of the migrant, and the cruel fate of those who refuse to adjust to so-called "progress."

One of the strongest of these themes is the acute frustration of the migrants with the bureaucracy, that unwieldy force over which they have no control and which seems to completely dominate their own lives. The unseeable, unknowable "monster," as Steinbeck dubs it, is out of reach of these people; it seems to disappear into vague references once it is actively sought. The poignant question in "Grapes of Wrath," "Who can we shoot?," points out the futility of trying to fight an entire system which is based not on personal relationships and humanity, but rather on the profit motive. Muley exclaims against the cruelty of impersonal decisions which affect the future of entire families:

> "Nobody been able to make a crop for years. But them sons-a-bitches at their desks, they jus' chopped folks in two for their margin a profit. They jus' cut 'em in two."[1]

The very destruction of the house and the waste of many generations' work and sweat is brought about so swiftly and so terribly by the huge Caterpillar that it is hard to imagine that the dwelling ever stood straight and proud or that the land was never marked by the ridges of the machine. Turner's classic phrase, "rape of the garden" by the machine, typifies the savage act of tearing this family from the ground. The closing shot of the scene shows the Caterpillar lumbering away from the scene of destruction triumphantly . . . machine over man, profits over long-held ties. And, as Handlin points out, the loss of the land is no small matter. In fact, the loss of land constitutes a major crisis in the life of the peasant:

> For the peasant loss of the land was a total calamity. The land was not an isolated thing in his life. It was a part of the family and of the village, pivot of a complex circle of relationships, the primary index of his own, his family's status. What was a man without his land? Land was the only natural, productive good in this society.[2]

1. John Steinbeck, *The Grapes of Wrath* (New York: Viking Press), p. 55.

2. Oscar Handlin, *The Uprooted* (Atlantic Monthly Press), p. 19.

Steinbeck personifies this dilemma in the body of Muley. To the question that Handlin asks, "What is a man without his land?," Steinbeck answers through the personage of Muley that the only thing left of a man is a "graveyard ghost."[3] Muley represents the fate of those refusing to comply with "progress." He is left behind as a reminder to others that only ruin will follow those who can't adjust, and it is extremely important to remember that Muley's madness is a direct result of his loss of land, his loss of function.

On the other hand, "Kuhle Wampe" illustrates the flip-side of helplessness in the face of bureaucratic obstacles, that is, the urban situation. In this case, it is not the actual loss of land which plagues the family, but rather the loss of jobs due to the crippling unemployment rate. The result, however, remains the same . . . loss of function leads to bewilderment and alienation. The lack of work, and the alienation from that work which they do, drive the people to Kuhle Wampe, a make-shift colony for dislocated city dwellers. The frenzied pace of the music and the ever-present frantic cyclists belie the fact that these people have nowhere to go; by moving at a fast pace they are only trying to convince themselves that work is just around the corner. The daughter, Annie, always walks quickly, and through her we are shown the inability of the existing bureaucracy to give relief to the unemployed and the dislocated of Germany. In one scene she treks from the marshal's office, to the municipal court, and on to almost every conceivable machinery, attempting to achieve some kind of alleviation from poverty through established channels.

Taking a different tack, Annie's brother gives in to the frustration of his situation by taking his own life. The strain becomes too much for him when he realizes that there is little he can do about a system which promises returns on hard work, but which snatches away the chance for a man to do that work. It is most significant that his death seems only to be a contribution to the situation . . . there is now "one unemployed less" for the state to worry about.

The brother's death typifies another strong theme used throughout the films and literature – the physical breakup of the family and the breakdown of traditional familial roles. Annie's father is visibly broken by the effect of his loss of authority in the family. He talks about the political situation and romance, while it is his wife who has taken over the practical angle of watching prices, figuring out the family budget, and keeping the family together. Regardless of the mother's attempts, however, the family deteriorates as the brother takes his own life and Annie takes refuge in the athletic club. It would appear that no amount of strength on the part of individual family members is sufficient to ward off the decay of familial traditions in the event of economic migration and dislocation.

The physical breakup of the family and the changing of traditional roles within the family is perhaps brought out the strongest in "Grapes of Wrath." Steinbeck early points out that the males are the real strength and backbone of the family, and that anything is possible if only the men will be able to bear up under the crushing weight of dust storms and the ravaging of their land.[4] As the families are torn from their land, however, they are also torn from long-standing traditional

3. Steinbeck, p. 54.

4. *Ibid.*, p. 4.

roles. As the family's main breadwinner, Pa has always held control, a characteristic of all male heads of families in agricultural societies. However, being forced from his land and so torn out of his pattern of life, Pa ceases to be the main source of income and is reduced to being just another fruit picker. As a result, he loses his authority to make family decisions, and the roles he is expected to play become blurred. Handlin points out the strain of migration on the relationship between husband and wife:

> Roles once thoroughly defined were now altogether confounded. Husband and wife got on under the continual strain of uncertainty as to their place in the family, and to their relationships to each other.[5]

The male not only experiences outward forces of pressure from his wife and family, but also an inner-directed uncertainty about his own manhood:

> Nagging demands he could not meet confirmed his own inner doubts about himself. He had been unable to hold on to the land . . . He felt respect ebb away and carried about a gnawing shame at his own lack of capacity. Most of all, he resented his loss of authority.[6]

In "Grapes of Wrath," many of the important decisions now devolved upon Ma, and the family came to accept her as the cohesive force. Those who no longer had a function in the family simply dropped away from the fold. Grandma and Grandpa, having outlived their usefulness and their traditional roles, simply died.

This same breakdown of family roles is also strongly apparent in "Vidas Secas." Fabiano is still at the head of the family, but there appears to be a constant struggle for supremacy between husband and wife. The wife obviously has a better education and a better command of figures than Fabiano, and when humbled before his employer, Fabiano further degrades himself by attaching blame to his wife. One very graphic scene portrayed the breakdown in communication between husband and wife: they are both speaking at the same time and hearing nothing of what the other is talking about. Because their new situation has exacted new demands on both of them, they have failed to adjust to the new roles which each must play in order to survive.

The strong theme of hopelessness portrayed in the material is probably best portrayed by Fabiano and his family in "Vidas Secas." The never-ending expanse of nothingness in the first few sequences, the slow pace of the action, the disparity of dialogue, and the mournful wail of the ram's horn in the background all coalesce together to present a very depressing scene, one from which we soon learn there is little, if no chance for escape. In fact, in that memorable sequence in which the small boy asks what "hell" is, the constant pan to images of fire, burning, and dryness reaffirms in the boy's mind that this life is, indeed, hell. And the tragedy is further underlined by his childish imitation of his father's ways; this is a clear indication that his life will be similar and his situation will be no better than that of his parents. Even the family's trek to the city cannot be seen as bettering their position . . . it is merely a different kind of poverty and debasement.

5. Handlin, p. 210.

6. *Ibid.*, p. 211.

At first glance, one wonders at Fabiano's refusal to better his condition by going with the men on the road. Handlin speaks to this point, explaining the special kind of "immobilization" felt by the poor:

> The harshness of their burdens immobilized those upon whom they fell, made the poor also poor in spirit. Long habit, the seeming changelessness of things, stifled the impulse to self-improvement. The efforts of man were directed not toward individual improvement but toward maintenance of status. To aspire to a life above one's rank, to rebel against one's status; that was to argue against the whole order of things.[7]

Hopelessness is dealt with in "Kuhle Wampe" in part by the brother's suicide, but also in Annie's reflections on the possibility of bringing a child into this particular society. The entire picture collage of children's faces, interspersed with the prices of baby food and necessities, points out the folly of bringing a child into the world with no provisions for its day-to-day sustenance. Taken to its logical conclusion, then, we can interpret Annie's apprehensions as ending in abortion.

The futility of the situation is, however, relieved to a certain extent in "Kuhle Wampe" by the attempt at solidarity by the German Communist Party. As the people begin to believe that they can "conquer" through organized activity, the music swells to a fast march style. It was the collective disillusionment of these people with democratic ways of life which spurred them on to different modes of thinking. The same holds true of the consciousness for the need to organize in "Grapes of Wrath." The step toward some kind of organization could only be taken *after* the experience of migration had broken down old barriers, and this occurred in the make-shift camps where many people suffering the same fate were herded together. These people were, after all, unsettled people searching for something to cling to. The very picture of the overloaded Joad truck, the long stretches of highway, and the "differentness" of each highway "Hooverville" attested to the fact that these people were, in fact, uprooted. As such, Handlin claims that they were in a constant state of crisis:

> Thus uprooted, they found themselves in a prolonged state of crisis—crisis in the sense that they were, and remained, unsettled. For weeks and often for months, they were in suspense between the old and the new, literally in transit.[8]

Even so, the people in both "Grapes of Wrath" and "Kuhle Wampe" were able to make some sort of attempt to come together for alleviation of their plight. Because this cannot be said of Fabiano and his family, perhaps "Barren Lives" presents us with the most desperate of all situations. They remained isolated, detached, away from others sharing their destiny. As such, there is no chance for Fabiano and his little family to better their situation, and the culture of poverty will continue to perpetuate itself through succeeding generations.

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7. *Ibid.*, p. 21.

8. *Ibid.*, p. 56.

The films and the literature reviewed on Economic Dislocation and Migration all point out the breakdown in long-held customs and the futility which abounds in the culture of poverty. Handlin succinctly sums up the position of those forced to leave their homes:

> Almost resignedly, the immigrants witnessed in themselves a deterioration. All relationships became less binding, all behavior more dependent on individual whim. The result was a marked personal decline and a noticeable wavering of standards.[9]

9. *Ibid.*, p. 139.

ECONOMIC DISLOCATION AND MIGRATION

by

Lowanna Maxwell

Perhaps the most frightening and frustrating part of immigration, that is forced immigration, is that even though the immigrants can clench their fists, "against whom can they raise them?"[1] It was much the same for all immigrants. The Joads and the rest of the farmers like them could not do anything about the Shawnee Land and Cattle Company, Fabiano and his family had no control over the fazendeiro, and neither of the two families had any power over nature. In fact, to them it might almost have seemed easier to fight the latter, for they knew the land and its ways, but to fight big business and the organizational power of businessmen was beyond their comprehension.

Annie's family and Rachid were at least dealing with a system that they knew something about. Because they had always lived in the city, they were used to the bureaucracy to some extent, so they did not have to deal with adjustment as did the Joads, Fabiano, and the American immigrants of Handlin's book. Annie's family and Rachid still had quite an adjustment to make because any sort of unemployment and migration from one's home, whether it be from Algeria to France, one section of a country to another section, or the city of Berlin to a camp such as Kuhle Wampe, makes no difference and calls for many adjustments not only in life styles, but also in attitudes.

All of the immigrants we have seen in the four films and two books have struggled to hold their lives together in some semblance of what they shall always remember as the good life, but in all cases this was not so. What they remembered as good was only so because it was familiar and in this way secure; the Joads were no more secure when they had to fight the land, but they had a home; Fabiano was not very secure while he was working for and being cheated by the fazendeiro, but it was more secure than the improbability of the city; the dole would soon run out for Annie and her family, but at least they still lived in their own home; Rachid may not have had any job opportunities whatsoever in Algeria, but he did have his family; and the American immigrants had no land and very little money in the homeland, but at least they had their past. In their poverty each one had at least some sense of security, some sense of belonging that was torn from them as they began the first steps of their migration. They had their past.

The Family

Whatever the reason for the economic dislocation of the very different types of people presented to us in the films and books, there was always one common area

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1. Oscar Handlin, *The Uprooted* (Boston: Little, Brown and Company, 1973), p. 48.

of interest to the directors and authors–the family. In each of our six sources one of the major common denominators was the family–the family and its stability or lack thereof. From the Joads of Steinbeck's novel to the lonely Rachid there was always set before us, whether in the black and white of the printed page or the movement on the screen, the struggle of the people to keep the only bond that they thought was sure to be permanent. It certainly was a common belief among the directors and writers that the family unit, more often than not headed by the mother in times of trouble, was of utmost importance to those who have been forced to move away from their past.

The family may have disintegrated to some extent during the upheavals of migration, but it was never given up without a struggle or regrets. The main power behind the struggle always seemed to be portrayed by the mother. In both Steinbeck's original and Ford's film version of *The Grapes of Wrath*, even Pa admitted in the end that he had lost the will to struggle against the system that worked away on their souls at every corner. It was Ma Joad who kept the family hoping for work, work enough to buy a little white house just as it was Fabiano's wife who kept the feather bed dangled before their noses and Annie's mother who kept figuring how to keep her family fed while her husband drifted off into a world of unreality. Every[illegible] was under stress, but while the man of the family had to deal with unfam[illegible]nstitutions and situations and still try and keep his role as the breadwinner of the family, the woman, in her customary role, had her job cut out for her. She had always been the center of home life, but with migration she had to assert herself even more to make up for the lack of a proper home.

I think the reason that all of the directors and writers of the sources we have used had the common bond of the family play such an important part in the stories was because the family is really the only common factor in all the immigrants' lives. It was the only tradition that they all held in common and, as suggested by Handlin in his book, *The Uprooted,* there were no other traditions that they could carry with them in their migration. In his chapter on "Religion as a Way of Life," he shows how unsuccessful the immigrants' efforts to transplant their old religions really were. I could see this failure of religion in the case of Rachid also, for he had failed to fast during the month of Ramadan as all Moslems did. The religion was just not the same in the "New World," just as everything else seemed to be different in America, California, or France. Even the family would be affected by the move, and even though the effect was never for the better, at least there was some skeleton of the past–and as I pointed out before, the security of the knowledge and understanding of that past was much better than the uncertainty of the future. In this respect I think that the directors and writers stressed the family because they did not wish to give a case history, however general it might have been, of the American immigration or, say, the Algerians' move to France.

The causes may be very different, the geographical locations greatly varied, and the people of distinctly different backgrounds, but the fact still remains that these are people who have been forced to leave the lives they have known. They were all forced by powers that they were incapable of dealing with, and in this way their experiences were similar to those of every other person who has faced immigration. So in many instances they clung to the same thing, the only thing they really

had in common—their family. "A man holds dear what little is left. When much is lost there is no risking the remainder."[2]

The System

Another one of the themes that was fairly constant throughout the films and books was that of the immigrants' struggle against the system that was putting them down. The struggle was a hard one, too, because the immigrants were fighting something that they would never fully comprehend. All of them had led relatively simple lives until the time when they were forced by the economy to find a new means of survival. The bureaucracy that each family of immigrants was up against was to them like a giant machine. They would not strike out against it, and at times it could have seemed to them as if there was absolutely no reasoning behind the things they had to do and the things that were being done to them. What they knew was that they needed to work, but soon they found that they also had to work in order to find themselves a job. In the case of the Joads, after they had reached California, Annie and her parents, and, to a lesser extent, Rachid, there was a tough struggle to find work because there were so many hundreds of thousands of others who were in the same position. For Fabiano it was, quite simply, that there was no work for him in the sertão and he, too, in the end, was making his way into the city.

Within the great bureaucracy that the immigrants met on their arrival to their destination, there were many different institutions—the law for one. As the directors portrayed it in their films, it seemed as if at every corner the migrants were confronted by "officers of the law." In many ways the directors showed their own feelings about "the system" and the enforcement of its rules.

The easiest place to find an example of this is through looking at both Steinbeck's book and Ford's film of *The Grapes of Wrath*. John Steinbeck saw the institutions that the migrant workers had to face as an extension of society's fears and frustration, which is much the same as John Ford's view. It seemed to me as if Ford showed a bit more faith in society though. He saw them as a group of individuals with real human feelings that at least had the potentiality of reacting to the migrants on a more human level than it seemed that Steinbeck did. I got this impression from the scene in the movie in which the Joads, upon having just arrived in California, meet a police officer who is from back home, and for a few moments there is a feeling of kinship between the institution and the people who are put down by it. For, after all, the institutions are made up of ordinary people. There is really no such indication given by Steinbeck of this in his book.

Another phenomenon that the immigrants came into contact with as an institution was the organization of the people for whom they were forced to work. This was especially noticeable in the cases of "The Grapes of Wrath" and "Vidas Secas." One of the most humiliating things that these two families had to put up with was the fact that they were forced to bow down to their rather unscrupulous employers.

2. *Ibid.*, p. 105.

In order to have any work at all they had to accept whatever the employer was willing to give them. In the case of the Joads it was because of the fierce competition for jobs and for Fabiano it was because there was no work to be had in the arid sertão.

Both the family in "Whither Germany" and Rachid from "The Passengers" were presented with a different situation when it came to employment. In their cases there was a much bigger organization behind the cause of the immigrant workers. It was because of this that they were not taken advantage of quite as much as the others were. I think that Steinbeck and Ford make a good point of this advantage to organization in their presentation of the government camp. The migrants are their own institution in the camp, and they are much better off for it. I think that the fact that the last two films we saw were made in a much more contemporary setting than the first two most definitely lends to the fact that they were seen as more geared to the organization of labor forces.

This tendency to more emphasis on labor has to do with the changing attitudes of both those who make the movies and the governments involved. This was especially striking in viewing "The Passengers" because it was presented in a documentary style much more than any of the others. The fact that it was made as a propaganda film under the direction of the Algerian government just adds to my skepticism, which was aroused from the outset because of the film's switch from documentary style question-and-answer to what seemed to me to be a rather nervous acting out of Rachid's life.

To me, another indication of the difference between the first two films and the last two was that that the last two seemed to deal in much more depth with the social issues of the times than the first two did. The first two, "The Grapes of Wrath" and "Vidas Secas," seemed to me to deal more with the emotional sides of migration. While this was certainly not absent in "Wither Germany" and "The Passengers," it seems that they are aimed much more towards the questions of the social problems of the times. This could be because I am more familiar with the problems of the times during which these films were made, but I also think that it is because society as a whole has begun to look at its social problems, and so the filmmakers will reflect that in their work. Perhaps it is that the greater awareness of the society comes from the filmmakers' influence instead of the other way around.

The Hope

In some way each work, whether read or seen and heard, dealt with human beings' almost total incapacity to give up hope. Even in the barren lives of Fabiano and his family there was still the faint, but existing, glimmer of hope in thoughts of the city, and perhaps even a leather bed. For the Joads in Ford's film there was more optimism than Steinbeck had given them in his novel. The mere transposing of the chronology of the two camp sites shows Ford with a bit more optimism than Steinbeck. With Steinbeck there was some hope for the individual, but not for the society as a group. Ford seemed to feel hope for the institutions, too, because instead of falling from the good of the government camp into the bad of the

privately-owned ranch, Ford had the Joads' story culminate with a promise of work and having just come out of the comfort of the government camp.

Annie and her friends were in a constant struggle with the government, not an outward struggle by any means, but within themselves. This is shown during the train ride–while the governments of the world are making life more miserable for them, they still fight among themselves over the problems being caused by outer forces. Their hope lay in solidifying themselves into a group with common goals. They had accomplished it in sports, which, I believe, was the director's way of projecting his optimism, but still they needed a greater solidarity to fight against the economic troubles that were facing them. Rachid's hope was to return home, but for him I think it was an almost blind hope. Much about him had changed since he had come to France, and the separation from his family and religion had shown him a new way of life that, in some ways, was easier than the old. For the American immigrants there was always the promise of the United States of America–the great melting pot, but not necessarily of gold.

The films we have seen and the books we have read have all been one specific individual's impression of events that did in reality take place. Actually the things we have seen are interpretations. So, which is real? Only those who have lived through it can rightfully answer that, and yet they too, can do nothing but interpret it through their own experience.

THE CONFLICT BETWEEN LAW AND JUSTICE

by

Bruce P. Bigelow

The conflict between law and justice is an age-old dilemma. Many different arguments have been put forth on the conflict. The great thinkers of our past, from Aristotle to Thomas Hobbes to John Locke, among others, seemingly cannot completely agree on what law and justice are and what relationship they have. It is the purpose of this paper not to try to define these two principles, but to discuss them in the context of three relevant films, "Billy Budd," "At Five Past Five," and "Walking Tall." To help clarify some of the points presented in these three films, I will use Hugo Bedau's book, *Justice and Equality*, to aid in making some thoughts easier to grasp.

One idea that is discussed in the films is that there is an apparent difference between the concepts of law and justice. Speaking for myself, I really never thought there was much of a difference between these two concepts. I thought them to be practically indistinguishable. The viewing of the films changed my opinion. The first film shown in the series, Peter Ustinov's "Billy Budd," made a clear distinction between law and justice. In it, British naval law stated that Billy Budd must be put to death for his offense, but none of the officers sitting in judgement on the boy felt that a hanging was a just sentence in this case. It seems here that the film separates law and justice by presenting law as a man-made set of rules and justice as a natural, spiritual rule, decided upon by using one's conscience to deduce right and wrong. So the dilemma here is whether to follow society's laws or follow one's conscience, which is justice. This outlook is the same shared by the makers of the Indian film, "At Five Past Five." The plotters to kill Mahatma Gandhi said at their meeting that it was against the law to kill that nation's leader, but it was just because of all of the harm that he had put on the country. Gandhi himself had broken no law, but these assassins felt it was justifiable he be eliminated. It is interesting how "Billy Budd" and "At Five Past Five" make the same distinction but go about it by different means. Budd broke a law but it was unjust for him to die, and Gandhi broke no law but it was just for him to be killed.

"Walking Tall" makes a distinction as well. Buford Pusser feels that the law was unjust, or should I say that he felt the way that the law was being used was not just. So he was shown to practice his own justice by using tactics outside the law. These films are somewhat in agreement that law and justice are quite different in that justice can be found inside oneself and the law is on the outside. As John Stuart Mill stated, "Justice is a name for a certain moral requirement, which, regarded collectively, stands higher in the scale of social utility, and is, therefore, of more paramount obligation than any others."

The question of how we go about judging someone's deeds—that is, do we try a person solely for his actions or do we take his intentions into account—is raised by the films. It is shown, for example, that Billy Budd did not intend to kill Claggart when he struck out at him. The trial scene afterward raises the question of whether

the lack of will in the killing should have a role in the making of a final decision. The way that the dilemma is handled in the film suggests that it should be. In "At Five Past Five," Gandhi is being tried for his actions. When accused of wrongdoing, Gandhi's representative in the mock trial does not deny the allegations, but bases his defense on the good intentions of his actions. "Walking Tall," as I see it, is primarily concerned with this question of intent. Buford Pusser does overreact violently, but his intentions, which were wiping out corruption and immorality, were good. The filmmaker quite obviously believes that the intent is what counts in judging actions such as these because of the way Pusser is presented in the movie. Buford is the crusading hero left with no other options available to him to end this evil around him.

The old Machiavellian principle of the ends justifying the means is discussed in these films. Here we have clear difference of opinions among filmmakers, as can be seen through the characters in the films. Mahatma Gandhi, in "At Five Past Five," is portrayed as a leader who believed that certain ends do not justify the means. I feel this is brought out well. It goes about it by presenting an historian who reveals some of the anti-freedom actions of which Gandhi was a part in the past. When asked, for example, why he worked to stop the Indian freedom movement during World War I, Gandhi replied that freedom obtained through violence is not really freedom at all. His way of becoming free was by practicing non-violence and civil disobedience, which forces the oppressor to act positively. So in this way, the film, through the character representing Gandhi, says that the means or ways of getting something are as important (in some instances even more) as the end result in which one desires. Here the ends do not justify the means.

Contrasting this viewpoint is the film, "Walking Tall." This film states that the ends do justify the means. The desired end here is to clean up a county of corruption and other evils. What the filmmaker is trying to say is that the desire for this worthy end is so morally right that any means of obtaining it is justifiable. The means used by Buford Pusser in this film are violence and killing. The breaking of the law by him is all right because it is to result in a positive end. So here two different viewpoints are presented clearly.

Another question asked about this dilemma is of individual rights versus the good of the whole. Or, more simply, is it just to be knowingly unjust to an individual for the welfare of the whole? In "Billy Budd" the circumstances were such that if the boy were set free or given a lesser sentence than the law dictated, it was the belief of the captain and the other officers that a mutiny or some similar disrespect for authority might result. This aspect of the dilemma in which they faced was weighed heavily and was a major factor in the outcome of the court martial. Billy was hanged to save order on the ship. Ustinov, the filmmaker, was obviously against this idea of killing a person unjustly for the good of the whole. The film shows that the judgement of the officers in thinking death for Billy would preserve order was wrong, because in the end it caused the ship's end. The ship was not saved, but lost by the decision.

In the film, "At Five Past Five," this question is developed and expressed with the same opinion. The plot to asassinate Gandhi was substantiated by the villains because it would help unite the people of India. The film shows this idea of sac-

rificing one for the good of the whole as wrong because, in the end result, the man was dead but his ideals lived on. As the voice in the movie said, "You can kill a man, but not an image."

In his classic essay, "Justice," Aristotle states, "Should a man suffer what he did, right justice would be done." A major statement of "Walking Tall" is just that. Buford Pusser felt as Aristotle did by punishing his foes, using the same methods as were used against him and his fellow citizens. The filmmakers clearly agree with this "eye for an eye" concept of justice by portraying Pusser as the hero giving the law-breakers what they deserve.

The concept of fate in the process of justice is discussed in "Billy Budd" and "At Five Past Five." Captain Vere, after witnessing Billy kill Claggart, spoke the words "Fated Boy." The token court-martial afterward really meant nothing because the captain knew beforehand that the only verdict could be one of death. So according to Captain Vere and Herman Melville, the author of the novel, *Billy Budd*, justice could not be had because it was the young man's fate to die in that manner. "At Five Past Five" handles the influence of fate somewhat in the same manner. The mock trial held for Gandhi had no real meaning because it was fated that the Indian leader was to be shot dead. It was made clear in the film that the plotters had no intention of finding Gandhi innocent of the charges. So in this way, fate had a heavy hand in the serving of justice.

Thomas Hobbes spoke about justice and equality when he said, "If a man be trusted to judge between man and man, it is a precept of the law of nature that he deal equally between them." What is trying to be presented here is the idea of non-bias in coming to a judgement. Hobbes' idea can be seen in "Billy Budd." The reason why Billy had to die for his accidental murder was because the English Naval Law said that if a sailor kills a higher-ranked officer, the sentence is death (especially in wartime). So it would seem to me that both parties were not being treated equally because it was implied in the film that had Claggart not been Billy's superior officer, the death sentence may not have been the only option of the court.

Equality and justice are discussed in the film, "Walking Tall," as well. The judge is portrayed to be obviously biased even to the extent of taking money for favorable decisions by one of the parties in case. It is clearly brought out to Buford and the viewer that this type of judge could not bring justice to the guilty. Again and again the wrongdoers are set free by the biased judge. The only way Pusser wins a case is by winning over a less biased jury. So these films do agree with Hobbes in this relationship between justice and equality.

The last question I would like to talk about is, "Is history just in its interpretation of past events and people?" In the original version of *Billy Budd*, Melville makes an effort to point out that history at times is not just. At certain times events and personalities are intentionally distorted to give credence to later results. The official Navy report on the Claggart death said that Billy Budd used a knife in the murder and stated that Billy was not an Englishman. In this case the distortion of fact is to justify the hanging and calm later misfeelings in the British Navy.

This same question is viewed in "At Five Past Five." The prosecution's main witness, an historian, give facts to the court relating to Gandhi's past actions. The

general idea in this film is to say that the view that history gives cannot be absolutely correct because in most cases no one knows the motives behind actions. An historical figure with good intentions can be portrayed as a villain by only reporting his actions but not the reasons behind them. So in these two ways, one intentional and one not intentional, history can be unjust in judging the past.

THE CONFLICT BETWEEN LAW AND JUSTICE

by

David Keller

The conflict between law and justice has for centuries vexed philosophers and kings. That there is a conflict might not concern clergymen, for laws are man-made but justice is dispensed by God. But for others the problem is real and of import. Some, who hold Locke in high esteem, feel that law is the instrument through which justice is manifested. Others, of more Hobbesian tendencies, feel that the law must prevail in order that justice can survive if not triumph.

Whatever the nature of the conflict, man has never tired of probing it, prodding it, and presenting to his fellow men one more answer to a seemingly unanswerable question. Playwrights have made it a stock of their trade. Novelists cannot resist its siren call. Since the advent of film, filmmakers have become infatuated with the dilemma. Sometimes a work dealing with the conflict between law and justice has made the transition from novel or play to film. Such a work is *Billy Budd.*

In bringing Melville's novel to the screen, director Peter Ustinov transformed the work into an allegory of good and evil almost too simple-minded to bear. That Billy Budd is Good, Ustinov leaves no doubt. Not only does he possess the countenance of an angel, but the temperament to match. As a common sailor on an English merchantman, he is loved by captain and crew. His ship, the "Rights of Man," is another symbol of his goodness; the carving at the prow of a chained Negro in a pose of supplication and the unlikely name taken from Tom Paine's pro-French tract constrain the viewer to concede Billy's goodness.

It is not too long before Billy meets Evil. To insure a continuous supply of sailors for His Majesty's Navy, impressment has been initiated. Billy is the only victim from the "Rights of Man." On his new ship, H.M.S. "Avenger," he encounters his foil and gets his first taste of justice, Royal Navy style.

Before his old ship is off the horizon, Billy must witness a flogging, "the only solution for every problem" aboard the "Avenger." The man in charge of such punishment, Master-of-Arms Mr. Claggart, is Evil personified. One cannot help but note his malicious grin as the prisoner writhes under the whip. His dress is also obvious; black from hat to shoes, Claggart is a fashionable malefactor.

Ustinov is not satisfied with appearances. Throughout the movie he demonstrates Billy's unfeigned goodness and Claggart's unmitigated evil. At the same time he reveals the conflict between law and justice on a military ship during wartime. Claggart, as Master-of-Arms, is law aboard the "Avenger." But there is no justice in his offices. When Billy asks why Claggart had a man flogged, a sailor answers "it was just his turn."

Some aboard the "Avenger" have faith in ultimate justice, however. Dansker the Swede, knowing yet unwordly, holds faith that "even the man who wields the whip, must serve the code we all obey." To Captain Vere, that code is the law itself, and it is in the law that he places his faith. When Claggart goes against the law, then he will let the law consume him. In the meantime, justice is poorly served.

Claggart eventually does break the law by falsely accusing Billy of conspiring to incite a mutiny. Faced with such infamy and unable to speak, Billy strikes and accidentally kills the offender. The conflict between law and justice is now brought to a crisis.

The court-martial that is convened has no trouble determining that Claggart's death was an accident. They quickly find Billy not guilty of any crime. Captain Vere must interfere at this point, for while the verdict satisfied justice (as equated with fairness in John Rawls', essay), it ignored the letter of the law which states that, during wartime, the mere act of striking an officer, let alone killing him, is punishable by death.

While Vere is no martinet, he is especially dutiful to military law. Perhaps he is so because the military has provided him his rank and prestige. It is also likely that his loyalty to the law is due to expediency. Mutinies were always a threat to security, and by allowing Billy to go unpunished, the officers might reveal weakness and invite trouble. Billy must be hanged to satisfy the law and proscribe future outbreaks by the crew.

While servicing the letter of the law, such a sentence does not manifest the intent. Justice is not served by such an unfair adherence to technicalities, a junior officer maintains. Captain Vere replies: "We do not deal with justice, but with the law." When the young officer queries, "Doesn't one serve the other?," no answer is forthcoming from either Vere or the other members of the court-martial. Their answer lies in their act—Billy is hanged.

To the end Billy the Good is true to his image. Even before the noose is drawn tight around his throat, Billy cries, "God bless Captain Vere!" Billy recognized that his sentence was not "fair," so he put his faith in ultimate justice. The crew was not so inclined. Their threatened revolt was only averted by the timely attack of a French warship.

In the end, "Billy Budd" remains unclear as to who (and hence what) triumphs. Claggart succeeded in defeating Billy, but he died in doing so—does the evil men do live after them? Possibly, for Billy is hanged and his goodness does not permeate the mutinous crew. Vere's expediency reveals no victory for the adherence to the letter of the law and ultimately brings about the mutiny. No faith can be placed in ultimate justice either, for the narrator tells us that the whole incident is covered up; no lessons are to be learned from the subordination of justice to the law.

Justice fares little better in "King and Country." Like "Billy Budd," Joseph Losey's film deals with military justice (or lack thereof) in time of war. The protaganonist, a Private Hamp, has been apprehended while trying to desert. Once again the letter of the law versus the intent of justice.

There are significant differences between "King and Country" and its predecessor, however, in content as well as viewpoint. To begin with, Private Hamp is no Billy Budd. He is pathetically human. Not particularly bright, or brave, or handsome, he contains more Everyman than Budd.

The film deals with a theme overlooked by "Billy Budd." Made in 1965, there are strong anti-war overtones apparent in "King and Country." This explains much of the ambivalence concerning the officers and enlisted men portrayed. Most of the officers are physically or spiritually ugly. The medical officer is a pompous,

bloated self-server; closer inspection reveals him to be pragmatic. The colonel, as commanding officer, is cold and unfeeling. The lieutenant, who appears compassionate for urging Hamp's release, is somewhat of a coward. The enlisted men, brutalized by years in the trenches, are cruel and sadistic.

The conflict between law and justice remains the dominant theme. Hamp's trial for desertion is not highly regarded by his comrades. While he is being confronted by a court-martial, his friends hold a mock trial for a rat. The punishment inflicted upon the rat portends no good for the erring soldier.

The trial itself takes place in the bunker that acts as officers' quarters. Surrounded by muddy trenches, corpses, and never-ending rain, the trial is accompanied by the incessant sound of artillery—the film's only "music." Hamp's contention that his only purpose was to "walk away from the guns" is given much credence by such conditions.

But Hamp's intentions are not on trial, only his actions. Although Captain Hargraves, the defense counsel, pleads a logical case for justice, it is the law which must be served. Hamp did leave his post, forsake his duties; it is wartime; and the law is exact.

There are some fervent pleas to place justice above the law. Hargraves admonishes the court that "if justice is not done to one man, then other men are dying for nothing." The reply makes the court's position explicit: a "proper court is concerned with law. It's a bit out of turn to plead for justice." Perhaps so, but even the court tries to combine the two. After finding the only possible verdict under the law—guilty—it appends a plea for mercy due to exceptional circumstances.

It is circumstances that prove Hamp's undoing. As in "Billy Budd," the war is not to be ignored. Orders are received to move up, and the request for mercy is denied. To insure morale and stave off further defections, Private Hamp must be executed immediately. One can only concur with David Hume's contention that interest defines justice. In "King and Country," the interest of the army outweighs that of the individual.

In the last film to be discussed, "Walking Tall," it is the individual that not only defines justice, but implements it as well. In fact, director Phil Karlson sings exultantly of individualism throughout this paean to the macho American male. The quiet music and solitude for family virtues reveal Karlson's values, but belie the violence that is to come. Unlike Ustinov and Losey, Karlson's film deals with law and justice in civilian perspectives, and it is the interest of the family unit (as a microcosm of the community) rather than an institution that is of importance.

The film's antipathy for institutions is quickly recognized. Buford Pusser, the "hero," makes it plain why he forsook "the system" to return to his hometown and the bosom of his family. An archetypal individualist, he could not accept playing by "their rules" or not playing at all. After he is beaten and robbed by some thugs at a bar, he once again finds institutions (namely the sheriff) less than helpful.

To insure justice, a man must take the law into his own hands. Pusser does exactly that when he breaks assorted parts of crooked anatomies and regains only his money from the evil Lucky Spot. The local sheriff, corrupted by the bad guys, arrests Pusser, and the local judge, also corrupt, warns him to take the rap. The

proud man takes his (American) privilege with a "McNary County jury." Twelve honest men can apparently do what corrupt institutions cannot; Buford Pusser wins justice at the expense of the law.

Since institutions, especially legal ones, have been proven incapable of performing as desired by a certain segment of the community, Pusser decides to become the law himself. He runs for sheriff and wins. But upholding the law is not as easy as maintaining order for the new sheriff. His arrests without warrants and other acts of disregard for due process ("legal technicalities," he sputters) cause the novice lawman problems.

Karlson, through Pusser, is obviously not so much concerned with law as Losey or Ustinov. It is justice, personally defined and morally correct, that he worships. Even when Pusser learns the law, he perverts it to suit his concept of justice. In one scene (funny despite the implications), Pusser uses his authority to move the judge's quarters into the courthouse men's room. In another, the sheriff correctly reads a thug (a very brutal thug, of course) his rights between smashes to the face and kicks to the groin. No doubt after his jaw mended, he was entitled to a phone call.

Karlson is as straightforward in his camera techniques as he is in his philosophy. Nothing fancy, just "common sense" approaches. The use of plain, ungimmicky photography, many location shots, and many local residents as extras add a realistic touch to this "real-life story."

In the end it is the just plain folks who unite behind the one-man police force. Good citizens of the community destroy the Lucky Spot, so deadly to Pusser's family, and so odious to community standards. The sheriff's concept of justice has been vindicated. Vigilante justice, directly opposed to due process of law, triumphs in Karlson's fascistic fairy tale.

Precisely because of its appeal to individualism, small town morality, and frontier justice, "Walking Tall" best fits the contemporary American's heart. Ustinov was too metaphysical. Losey's vision was too academic. In both cases the law—technicalities fit only for lawyers—was upheld to the detriment of individual justice. Karlson worships no such golden idol; his True God is justice, a justice that can be appreciated by the common man, and America is made up of common men.

THE CONFLICT OF LAW AND JUSTICE

by

David Wallace

A long-asked question has been whether or not there can be both law and justice at the same time. Aristotle writes, "The just . . . is the lawful and the fair, the unjust the unlawful and the unfair," and to be sure, law and justice do go hand in hand much of the time. Many times, however, this does not occur, and law exists without justice and justice without law. This discrepancy creates dilemmas both for the individuals involved and for society in general.

The conflict between law and justice is present in the motion pictures "Billy Budd," "King and Country," "At Five Past Five," and "Walking Tall." By using various film-making techniques such as camera angle, character roles, narration, background effects, and visual symbolism, these films make an emotional appeal to the audience for justice over law. This is a serious mistake, however, and as "Walking Tall" illustrates in a negative way, justice should be sought only through law.

In the film "Billy Budd," a young seaman is lawfully executed for striking (and killing) a superior officer in time of war. As the movie illustrates, however, law and not justice was served. The movie is based on Herman Melville's novel, and director Peter Ustinov does a fine job using film techniques to capture much from Melville's narration.

The audience gets its first inclination that something is "not right" as the film opens. Billy Budd, the young seaman, is seized from the merchant ship, "Rights of Man," by officers from the British man-of-war, "Avenger." As he leaves, Budd yells to his former shipmates, "Good-bye 'Rights of Man.'" This obvious play on words is used both by Melville and Ustinov, but the name of the British vessel is Ustinov's own brilliant choice. Changing the name from Melville's "Bellipotent" to "Avenger" seems merely a matter of personal taste until the meaning of "avenger" is known. An "avenger" is someone who "exacts satisfaction" in punishing a wrongdoer, and here, Ustinov gives the viewers a foreshadowing of John Claggart.

Claggart, Master of Arms, is hated and feared by most of the crew. Melville portrays him as evil, but makes sure the reader knows that this is neither his fault nor his wish. Ustinov is not as kind and shows Claggart as dangerously cruel to the point of sadistic.

An obvious contrast exists between Claggart and Budd; the former appears evil, the latter good. Melville's novel gives many Christian overtones to the two characters, and so does Ustinov. Unable to use narration to illustrate this, the director uses visual symbolism instead. Claggart is always seen in black, and his sadistic actions come out much clearer than in the novel. Also, as he was dying after Budd had struck him, a faint smile grew on his face. The audience gets the impression of the doomed angel who is pleased with himself for having taken a good soul down with him.

Budd as a Christ figure is even more striking. He is first seen not among his shipmates as Melville places him, but high above in the crow's nest. The camera angles upward and catches Budd; the mast and yard are seen behind him forming a cross which symbolizes the obvious. Another attempt to make the Christ analogy was in the beginning of the film when Budd descended from above (the crow's nest) and in the end, when being hung, he ascended again. This reminds the audience of Christ who came down from Heaven and ascended back. The final attempt to make Budd a Christ figure was when Budd, ready to be hanged, yelled out, "God Bless Captain Vere!" These last words are similar to those of Jesus who muttered while dying on the cross, "Forgive them, Father, for they know not what they do."

Thus the audience has been made ready for the dilemma which Ustinov has been so careful to create. The "Avenger's" captain, named Vere, develops a liking for Budd (as do most of the crew) and realizes the problems caused by Claggart. Nevertheless, even though the accusations made by Claggart about Budd were false, Vere is forced by law to bring the young seaman to trial. The trial board of officers reviews the evidence and finds Budd not guilty, but Vere objects, stating that the law has not been fulfilled. The officers argue that to kill Budd would not be just. Vere answers this charge by asserting that they had sworn to uphold the King's law and this was their one and only duty—the law made no provisions for extenuating circumstances. Hesitantly they agree, and Budd is hanged the following day.

Ustinov's production made the conflict between law and justice much clearer. Melville made Vere more intellectual than did Ustinov, and Vere in the novel was much more paranoid of mutiny. The only mention of mutiny by Vere in the movie was during the trial, when he stated that if the board found Budd guilty and the crew mutinied, they would be forgiven, but if the board found him innocent and the crew still rebelled, they would not be so fortunate. By making Vere less complex, Ustinov is able to present the conflict much better than Melville.

In the end, justice is served. Unlike the novel, the motion picture closes with the crew rebelling just long enough for Vere to be killed by enemy gunfire. A whitewash of the affair was printed in a British naval newspaper, but a written narration in the final scene explains that men will come and go, as will the laws they make, but the concept of "justice" will remain constant.

The next movie, "King and Country," was similar in plot to "Billy Budd," but contained far greater implications. The time setting was during the First World War, nearly one-hundred-twenty years after "Billy Budd." Unlike "Billy Budd," the personal affection is absent, and the ugliness and cruelty of war far more apparent.

The movie opens with Pvt. Ham being placed on trial for desertion from battle. During the trial, the scenes flash back and forth between Ham's trial and a rat's mock "trial" where several soldiers capture, "try, sentence, and execute" a rat. This is obviously symbolic of the real mockery taking place at the actual trial of Pvt. Ham, and it becomes apparent that Ham is considered guilty even before the trial begins. The trial is merely a formality.

As in "Billy Budd," extenuating circumstances exist. We learn from the trial that Ham had suffered from some sort of shell shock and did not run from battle, but only wished to "walk home to England," quite a feat from France. He is

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nevertheless "processed" guilty by the court. Unlike Captain Vere, however, the court does not take direct responsibility for his sentence, and instead suggests to Command Headquarters that sentence be lowered, knowing well that it will not be. Thus, their hands are washed from the matter.

Character development is also similar to "Billy Budd." Pvt. Ham represented a Christ figure. He is less "perfect" than Budd, being, as his fellow soldiers claim, average and "a good tea maker," but director Joseph Losey still manages some similarities. One scene shows him with some structural beams forming a cross behind him, and just as Christ was carried to his death by friends, so was Ham (who had been drugged).

The doctor represented evil. He is similar to Claggert, and by refusing to admit that Ham may have shell shock, he sealed the private's fate. His laxative pills solved the men's problems just as Claggert's whippings solved the "Avenger's" problems. The rest just walked around, more the product of war than of humanity. There was one exception. The defense lawyer, Hargrove, realizes what the war has made him. After Ham thanked him for his defense, Hargrove snapped back, "I was only doing my duty. Had you done yours, I wouldn't have had to do mine." Later he remarked, "We lost, Ham didn't."

Besides the plot and character development, Losey uses a superb overall sequence to illustrate the ills of war. The opening scene finds the camera angling upward and filming the masterful architecture of Trafalgar Square in England. The camera scans the plaza, picking up parts of the Wellington Museum and the Statue of Victory. All of the greatness, the splendor, and the legend of English history is in front of the viewer's eye. From this pedestal, Losey brings war back down into reality. The transition begins with quick scenes of firing field artillery flashing in and out, the noise from which destroys the serenity of Trafalgar Square. The transition ends with a dead soldier lying in the mud, rain falling around him, and the sound of artillery heard in the distance.

Throughout the movie, the scenes remain bleak from rain, dark of night, and poorly lit rooms. This helps to create the depressed atmosphere of war. Losey uses yet another technique to create depression and even desperation. The sound of gunfire and rain are heard almost constantly during the film, an apparent attempt to make the audience uneasy to the point where they can sympathize with Ham's wish to "go away."

In the final scene, Losey takes us away from the war and back to a street in London where a letter was sent to Ham's family. Instead of the truth, the letter merely states that Pvt. Ham had been killed in action. Apparently the splendor of war could not be jeopardized by the truth, and again as in "Billy Budd," the event is whitewashed. These sequences illustrate best what director Losey wished to convey to the viewers—that is, in a society, especially a society at war, justice cannot be risked, and law is needed to keep the status quo, no matter how chaotic it might be.

The following movie, "At Five Past Five," uses the best filming techniques of the four motion pictures. The historical setting is India just after Great Britain had released her as a colony in the late 1940's. More specifically, the film is about Mahatma Gandhi, what he stood for, and why he died. Gandhi is often compared

to Henry David Thoreau and Martin Luther King, Jr., being one of the truly great leaders for peace in the twentieth century. Supposedly assassinated for treason, his only crime was wanting peace.

An unusual technique is used in the beginning of the movie which later suggests something very interesting. In the opening scene, the audience views the stage from above, the camera angle giving them an overall "picture." As the camera moves downward to a more conventional angle, two things begin to happen. First, drums begin to beat rapidly; second, the scenes begin to change increasingly faster. These two effects create an uneasy feeling for the viewer. Only later, after the film is almost over, does it become apparent why this was done.

Like Pvt. Ham's trial, Gandhi's had been a mockery of justice. He was considered guilty long before the verdict of guilty was delivered by the judge. By showing the entire movie first in rapid succession and then in detail, the producer was able to create the impression that perhaps Gandhi had been tried, found guilty, and executed before any legal reason could be found to do so.

This seems likely. While on trial, Gandhi kept insisting that all he wished to do was to have peace between the two religions within India. His accusers, jealous and fearful of his power and influence, wished him dead. A reason had to be found, so they insisted that his actions had been treasonous. Thus he had actually been executed before being tried.

"At Five Past Five" contained several techniques which relate a feeling of doom to the viewers. As in "King and Country," this movie was filmed in black-and-white. Black-and-white offers the advantage of creating moods which color cannot. The audience knows something wrong is going to happen because the characters in the film lurk in the shadows and seem to be plotting. The shadows and the lack of lighting add to the audiences' suspicion.

Yet another device used is a clock. The viewer is aware that at "five past five" something bad is going to happen. By placing a clock in full view, the audience is constantly reminded that "the time" is approaching. This adds to the viewer's apprehension.

The final device is the most effective. Both at the beginning and at the end of the feature, a narrator is used to assert the movie's theme. He states, "Do you think you have really killed him? All you have killed is flesh and bones." Then a marvelous comparison is made. The narrator states that less than a century ago, another attempt had been made to kill a leader of peace. On the screen, at the same time the viewers see the face of Abraham Lincoln. The connection as well as the message are clear—that is, men will die, but their ideas of truth, peace, and justice will live on eternally.

The first three movies were similar in that law, and not justice, was served, but in the final picture, "Walking Tall," the opposite is true. "Walking Tall" used the simplest techniques of all four movies, but because it establishes a sharp division between the "good guys" and the "bad guys" and because it uses violence effectively, it is most powerful of the group.

A young retired wrestler, Buford Pusser, returns home with his wife and two kids and is greeted by his folks. He has been gone for a period but now plans to move back. Here the visual effects are important. He is good looking, as are his wife

and kids. In fact, the entire area is beautiful, and the audience is placed in a feeling of false security. Soon, however, it becomes evident that not all is well in this false Eden. Vice has invaded the town since Buford had last lived there, and it soon becomes apparent that Buford would do all he could to rid the town of it.

The use of violence is the key to the movie. It begins with Buford being cut up by some glass and left to die by the evil newcomers, and by the time Buford's wife is murdered in an extremely bloody way, the audience is ready to take the law within its own hands, which is exactly what Buford and the townspeople finally do. Thus, by the use of visual violence, the director has the viewers exactly where he wants them, and they leave satisfied, knowing that justice has been served.

If, however, the audience had looked beyond the good-bad dichotomy and the raw emotionalism which "Walking Tall" created, they would have realized what had really happened. Justice was served, to be sure, but it was accomplished without the law. Buford and the townspeople use first extra-legal and finally illegal methods to fight their crime problem. We can understand their frustration over the law's inability to function justly, but we can never condone vigilantism. To do so would be to overlook the function of law.

Law is a stabilizing force within society. Its purpose is not only to settle disputes between two parties, but to make sure social changes do not occur too quickly or too slowly. It has developed from a primitive state where each individual had his own rules to a relatively high level. More importantly, law has become increasingly more just in the process. Vigilantes merely take us back to a more primitive level. The late Earl Warren, one of the great leaders of social justice in modern times, wrote that in our society, any form of vigilantism "turns on the deep-rooted feeling that the police must obey the law while enforcing the law; that in the end life and liberty can be as much endangered from illegal methods used to convict those thought to be criminals as from the actual criminals themselves (see Luther A. Huston, *Pathway to Judgement: A Study of Earl Warren*, Philadelphia: Chilton Co., 1966. p. 165.)." The movie, "Walking Tall," illustrates this ideal the best.

The four movies show that law and justice do not always go hand in hand. By using various filmmaking techniques such as camera angle, character roles, narration, background effects, and visual symbolism, they all make an emotional appeal for justice over law. But as "Walking Tall" illustrates best, to do so would be harmful to society. Instead, man must learn to achieve justice through law, and only through law.

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